

REMARKS

Claims 1-4 and 6 are pending in the application.

Applicants note with appreciation that the previously raised objection to the drawing, rejection under 112, and rejection based on copending appln no. 10/019,250 in view of JP 10-053010 have been withdrawn.

I. Response to Rejection Under 35 U.S.C. § 103(a)

Claims 1-4 and 6 remain rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Yoshikawa et al in view of JP 10-053010. Further, it was asserted that Applicants have not addressed the rejection over the combination of the references.

Applicants respectfully traverse the rejection for at least the following reasons.

In the Amendment of June 21, 2004, Applicants argued against the rejection based on the unexpectedly superior results of the present invention. That is, even if there might be motivation to combine the cited references, the present invention is not obvious because of the unexpectedly superior results.

Under MPEP 716.02(c), evidence of unexpected properties may be in the form of comparison of the claimed invention and the closest prior art which is commensurate in scope with the claims.

In the present case, the present specification provides comparative results obtained from examples of the present invention and a comparative example. The example disclosed in JP '010, which corresponds to the comparative example of the present specification, is the closest prior art example among the references of record, including Yoshikawa et al. Accordingly, it is

RESPONSE UNDER 37 C.F.R. § 1.111
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respectfully submitted that Applicants have satisfied their burden of evidence for the unexpectedly superior results and that the rejection should be withdrawn.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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